

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

CASHANA HUDSON	:
5712 North 17 th Street	:
Philadelphia, PA 19141	:
Plaintiff	:
	:
v.	:
	:
DIEGO RAMIREZ SABOGAL	:
4021 67 th Street, Apt. 3F	:
Woodside, NY 11377	:
and	:
C C VENDING, INC.	:
70 South Macquesten Parkway	:
Mount Vernon, NY 10550	:
and	:
XYZ CORPORATION,	:
ABC PARTNERSHIP, JOHN DOE and	:
JANE DOE	:
Defendants	:

COMPLAINT

AND NOW, comes the plaintiff, Cashana Hudson, by and through her attorney, Thomas F. Sacchetta, Esquire, and respectfully represents as follows:

JURISDICTIONAL STATEMENT

1. This court has jurisdiction as the amount in controversy exceeds Seventy-five Thousand (\$75,000.00) Dollars, exclusive of interest and costs, and the plaintiff is of diverse citizenship. Plaintiff, Cashana Hudson, is a citizen of the State of Pennsylvania. Defendant, Diego Ramirez Sabogal is a citizen of New York and defendant, C C Vending, Inc., is a business with its principal place of business in the State of New York. The subject accident, out of which this claim arises, occurred in New Jersey.

PARTIES

2. Plaintiff, Cashana Hudson, is an adult individual residing at 5712 North 17th Street, Philadelphia, Pennsylvania 19141 and is a citizen of the State of New Jersey.

3. Defendant, Diego Ramirez Sabogal, is an adult individual residing at 4021 67th Street, Apt. 3F, Woodside, New York 11377 and is a citizen of the State of New York.

4. Defendant, C C Vending, Inc., is a vending company with an address of 70 South Macquesten Parkway, Mount Vernon, New York 10550.

VENUE

5. The facts and occurrences herein stated took place on or about September 16, 2015 in Maple Shade, New Jersey, thus making the U.S. District Court for the District of New Jersey the proper venue.

BACKGROUND

6. At the aforesaid time and place, plaintiff, Cashana Hudson, was operating her motor vehicle on Waverly Avenue in Maple Shade, New Jersey when she stopped for traffic.

7. Defendant, Diego Ramirez Sabogal, was operating a vehicle owned by defendant, C C Vending, Inc., on Waverly Avenue in Maple Shade, New Jersey when he rear-ended plaintiff's vehicle.

8. Defendant, Diego Ramirez Sabogal, was inattentive, careless and failed to make proper observations, which negligence caused a collision between his automobile and plaintiff's automobile.

9. Defendant, C C Vending, Inc., was negligent in entrusting or by and through its agents, servants, workmen and employees allowed to be entrusted, its vehicle to defendant, Diego Ramirez Sabogal, after it knew or should have known that he was not competent to drive

such vehicle.

10. The aforesaid accident was caused by the negligence and recklessness of defendants and was in no way caused by plaintiff.

COUNT I - NEGLIGENCE

Plaintiff, Cashana Hudson v. Defendant, Diego Ramirez Sabogal

11. Plaintiff hereby incorporates all preceding paragraphs and counts by reference as though fully set forth herein at length.

12. The negligence, recklessness and carelessness of the defendant consisted of:

- a. operating the vehicle inappropriately;
- b. failing to have the vehicle under proper and adequate control;
- c. failing to observe the plaintiff's vehicle on the roadway;
- d. failing to operate the vehicle in accordance with existing traffic conditions and traffic controls;
- e. failing to keep a reasonable lookout for other vehicles lawfully on the road;
- f. operating the vehicle in a manner not consistent with the road conditions prevailing at the time; and
- g. failing to have the vehicle under proper and adequate control and failing to keep the vehicle in the proper lane of travel.

13. As a result of such collision, plaintiff, Cashana Hudson, was thrown about violently and suffered severe and painful injuries, including, but not limited to, spinal injuries including low back injury which injuries necessitated her obtaining medical treatment, caused her great pain and suffering, incapacitated her from pursuing her usual employment and other

activities, and left her with permanent disabilities that will, in the future, similarly incapacitated him, caused her pain and suffering, and require medical treatment.

WHEREFORE, plaintiff demands judgment against defendant in an amount in excess of Seventy-five Thousand (\$75,000.00) Dollars, exclusive of interest and costs.

COUNT II - NEGLIGENT ENTRUSTMENT

Plaintiff, Cashana Hudson v. Defendant, C C Vending, Inc.

14. Plaintiff hereby incorporates all preceding paragraphs and counts by reference as though fully set forth herein at length.

15. Defendant, C C Vending, Inc., was negligent, careless and reckless in the following regards:

(a) It entrusted, or by and through its agents, servants, workmen and employees allowed to be entrusted, its vehicle to defendant, Diego Ramirez Sabogal, after it knew or should have known that he was not competent to drive such vehicle; and

(b) It allowed Defendant, Diego Ramirez Sabogal, to operate its vehicle, which vehicle was operated in a careless, reckless and/or negligent fashion as stated herein.

WHEREFORE, plaintiff demands judgment against defendant in an amount in excess of Seventy-five Thousand (\$75,000.00) Dollars, exclusive of interest and costs.

SACCHETTA & BALDINO

By: /s/ Thomas F. Sacchetta, Esquire
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